THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.10336 OF 2006

ORAL ORDER:

This Writ Petition is filed seeking a declaration that the order dated 9.5.2006 passed by the respondent is arbitrary and illegal.

Under the impugned order dated 9.5.2006 the licence held by the petitioner for running a toddy depot as well as four toddy shops was suspended till the conclusion of the investigation on the allegation that the petitioner had indulged in adulteration of toddy with Chloral Hydrate. The only ground raised by the petitioner is that the said order, which was passed without prior notice, is arbitrary.

Since, admittedly, the impugned order was only an order of suspension, pending enquiry, as an interim measure, it cannot be held that the same is bad for want of prior notice. The petitioner will be afforded a reasonable opportunity during the enquiry before passing the final order. Hence, the impugned order cannot be held to be arbitrary or illegal. As a matter of fact, the petitioner had filed an appeal against the impugned order and the same was dismissed by the Deputy Commissioner of Prohibition and Excise, Nizamabad by order dated 20.5.2006. In the circumstances, I do not find any justifiable reason to interfere with the impugned order.

The writ petition is accordingly, dismissed. However, there shall be a direction to the respondent to complete the enquiry initiated against the petitioner, if not already completed, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of this order. No costs.

(G. ROHINI, J.)

6th June, 2006.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.10336 OF 2006

6th June, 2006.

Between:

The Banswada T.C.S. Society, represented by its President M. Narsagoud. .. Petitioner.

And

The Superintendent of Prohibition & Excise,
Kamareddy, Nizamabad District.